

## VOTE FOR NIGHT COURT BILL.

MAGISTRATES TO ASK LEGISLATURE TO PASS IT.

All Favor the Idea, but Two Think That No Change in the Charter Is Needed. Say Present Force Could Do the Additional Work—Bingham Praises the Measure.

The Board of Police Magistrates for Manhattan and The Bronx at a special meeting yesterday afternoon decided unanimously for a night police court in Manhattan, but two of the twelve Magistrates present opposed asking the Legislature to pass a law permitting the Mayor to name two more Magistrates to set the court going. These Magistrates, Moss and Wahl, contended that no more Magistrates were needed and the board could establish the night court of itself and with its present force. Mayor McCallan would appoint the new men. Neither Magistrate Wahl nor Magistrate Moss has been in political sympathy recently with the Mayor.

As soon as the meeting was called to order Magistrate Steinert arose and presented a resolution calling for a law appointing two new Magistrates, and submitting therewith the copy of the necessary bill. The resolution declared that it was "the general sense of this board that the proper administration of justice and enforcement of law in this city requires the holding of a session at night of the City Magistrates' court" and also said that to do this two new Magistrates and four more clerks would be needed. Then he asked the Legislature for the "speedy enactment into law" of the proposed measure.

Magistrate Steinert made no comment on the measure. Magistrate Wahl then sprang a surprise. He declared himself in favor of a night court, said that as president of the board for two years he had been trying to get more courts and that he always had a night court in contemplation. Then he said:

"We do not need more Magistrates for this court. We can establish such a court with our present force."

Judge Wahl moved an amendment that the board establish the night court on April 16 next, and he declared that the way not to get a thing was to ask the Legislature for it. He said that the Magistrates work only sixteen days a month and that the additional work of a night court would mean only two or three days of extra labor for each Magistrate.

President Whitman said there was no question of the board's power to establish a night court at once if it chose, but he said that the number of clerks was limited to eighteen. The Legislature would have to allow an increase even if no more Magistrates were allowed. Magistrate Wahl again said that the members of the present board could do the work, and Magistrate Breen rejoined:

"Not all of us are such marvels of industry as Judge Wahl."

Magistrate Moss declared for the Wahl side and said any night court would be willing to sit two or three extra nights a month to bring it about.

"But what can we do without more clerks?" asked President Whitman.

"Oh, they volunteer as amiably as the Judges do," declared Magistrate Breen.

Magistrate House then said that at times the board had had to turn to the lay members on account of illness. He asked how the board could get along with a night court established by the present force in such a contingency. He said he favored any plan to get rid of the shameful practices that are going on in this city with regard to the night court should not prevent a success the city would have two additional Magistrates with whom a new day court could be established.

I feel confident that the Legislature will pass this bill. Public sentiment is behind this move. With the overwhelming majority in its favor I am sure the bill will become a law."

Magistrate Barlow declared that he had been ill himself once for four months, and he said that it was likely to come upon any member of the board, a sentiment which Magistrate Crane endorsed, because, he said, the courts then were not in the same places. Magistrate Breen said that if there was any objection on account of the expense he was sure that if the measure would be an entering wedge to get things would be practically unanimous in its favor.

Magistrate Steinert then said he regretted to hear from "colleagues" meaning his Tammany colleagues, and when Magistrate Breen asked him what he meant he said he meant his colleagues as in the law, and that the Magistrates did not have fourteen days a month to themselves. Special examinations had to be held and he had to be given the same as the Magistrates when not on duty in the court room. He added:

"If this night bill will eradicate the boozing evil let it have two new Magistrates and let us have 'em quick."

Magistrate Steinert said he agreed with Magistrate House that getting these Magistrates would be an entering wedge to get more police courts. Magistrate Breen said it would be "almost cruel" to expect the present force to do the night court work. He said, and Magistrate Wahl rejoined that "if the children are crying for this court and mothers are putting their babies to sleep with lullabies, then let us start the thing right up and not wait for the Legislature to do something."

When the vote was taken for the Wahl proposition it was by a vote of 9 to 3, these Magistrates voting for it: Finelli, Moss and Wahl.

Before the vote was taken on the original plan President Whitman read a letter from Police Commissioner Bingham favoring the night court. The Commissioner wrote:

"I have the honor to inform you that the plan meets with my hearty approval. Such a plan would be of advantage not only in thwarting professional bondsmen but it would also bring the prisoners under the immediate disposition of charges involving minor offenses. It would also reduce the number of prisoners who have to be confined temporarily in police stations."

The final vote on the plan suggested originally by President Whitman was 10 to 2. Magistrates Moss and Wahl opposing. Each declared, however, that he was in favor of the night court and that he differed with his colleagues only as to the most practical manner in which to establish it.

The bill will be sent to Albany at once. It simply changes the way of choosing the Magistrates in this division instead of fourteen and that the number of police court clerks is increased from twenty-two to twenty-eight. The bill will probably be introduced through city channels, the Corporation Counsel's office asking its representative at Albany to see that it is put in at once.

Magistrate Crane, who voted for the measure, recalled that in the early '90s there were night courts in this city and that they were a failure. He declared that he favored the English system of giving women arrested on the street at night or in the courts ordering them to appear in court the next morning. He said that would do away with the bondsmen evil. He also said that he was sure the new night court would have a similar effect.

"Take my word for it," he said, "on the very first night that this new court sits you won't see any arrests of women on the street. There will be reasons for it."

**CHARGES AGAINST WENDEL**

Approved by Gov. Hughes and Will Be Served on the Captain Today.

ALBANY, March 12.—Gov. Hughes approved to-night the formal charges prepared by Major Louis Babcock of Buffalo, Judge Advocate of the Capt. Wendel court-martial.

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## PROMINENT PEOPLE

## JOIN IN THE FIGHT

## AGAINST CONSUMPTION.

The percentage of mortality in tubercular cases, as shown by government statistics, has resulted in prominent people of all classes enlisting in the fight check the further spread of the dread disease, and effect its ultimate eradication.

While the problem of curing consumption does not, as yet, appear to have been successfully solved, it is apparent that the disease can be prevented by a little ordinary care.

Neglect of an ordinary cold is very apt to result in contracting tubercular trouble. The cold leaves the lungs sore, and peculiarly susceptible to the tubercular germ.

A well-known authority has published the simple formula that he has used successfully for the past twenty years in treating various forms of throat and lung trouble. He claims that the sundry incipient affections of the throat, lungs and bronchial tubes would seldom reach an acute stage if this formula was generally known and used. It is said to break up a cold in twenty-four hours and cure any cough of a curable nature.

The ingredients are simple and inexpensive, easily obtained from any good prescription druggist, and can be prepared by any one. Take a half ounce of Virgin Oil of Pine (Pure), two ounces of Glycerine and a half pint of good Whisky. Mix in a bottle and shake well. Use in teaspoonful doses every four hours.

Pure ingredients are essential, and to guard against substitution it is best to purchase each separately and mix at home. Virgin Oil of Pine (Pure) is put up, for dispensing only, in half-ounce vials, each vial securely sealed in a round wooden case with an engraved wrapper showing the name—Virgin Oil of Pine (Pure) guaranteed under the Food and Drugs Act, of June 30th, 1906, serial number 451, prepared only by Leach Chemical Co., Cincinnati, O., and printed thereon. There are many rank imitations of Virgin Oil of Pine (Pure) put out under similar names, but these imitations are not only ineffective for the purpose, but may cause nausea, and are often dangerous. It is always well to remember that the object of an imitator is to deceive. There is no known substitute for Virgin Oil of Pine (Pure).

## MAKES LAWYER PAY BACK FEE

## NEGRO TAKES \$9 TO GET A WOMAN A SUMMONS

And Then Is Not There to Prosecute Case—Scandalous State of Affairs in West Side Court—Crowd of Heelers, Runners and Politicians Monopolize Enclosure.

Junius C. Ayler, a negro lawyer who practices in the West Side court, was haled before Magistrate Breen yesterday by Mrs. Emma Coles, a colored woman, of 522 West Forty-fifth street. Mrs. Coles said that she had given Ayler \$9 and all he had done was to tell her how to serve a summons. She said that she had come to court in February to get a summons for another woman who had struck her.

She was sitting just behind the lawyers' bench in the court when, she said, Ayler turned around to her and remarked what a terrible amount of crime there was exhibited in the West Side court, ending with the inquiry "And have you a case here?"

The woman said that she had told and told about it, whereupon they withdrew to the hall outside the court room. "We are not allowed to talk here, and the best of lawyers observe the best of rules," Ayler told her, she said. He further informed her, she said, that to get a summons she must get a lawyer, and he would get the summons for her.

Magistrate Breen, who was sitting on the bench, said he would get the summons for her, and he would get the summons for her, and he would get the summons for her.

Magistrate Breen called up the lawyer. "How is this—taking this woman's money for serving a summons?" he asked.

"She engaged me to get the summons and prosecute in this case," said Ayler, "and I received the \$9. When the woman did not appear on a summons I did appear and got a warrant. This woman, Mrs. Coles, was so much pleased with my services that she gave me \$3 more. It was all an accident. I was just outside."

"You give this woman back that \$9 or there will be trouble for you," said Magistrate Breen.

Ayler said that he would, because of the accident of his non-appearance. The accused, who was given the summons, and her runners have to the prisoners and policemen waiting within the rail of the West Side court for their hearing before the Magistrate is an example of the need of the housecleaning Magistrate Whitman subjected the Tombs court to on Monday.

Magistrate House, while sitting in the court two weeks ago, maintained a rigid rule of excluding from within the rail all persons—lawyer, district leader and runner alike—who had no specific business there. The effect was noticeably salutary.

One of the law firms, in telling the prisoner how badly he needed a lawyer for "fixing it up" with the police, and for aiding the clerks in making out the complaints against the prisoners, was out on Monday. In addition, the confusion around the Magistrate's desk was almost eliminated.

When the ban against admission is raised the lawyers come to the court without invitation while he was in the corridor leading from the prison and before he had

Admitted them.

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## AIMS AT LEGISLATORS' GRAFT

BY MAKING IT A CRIME TO ACT AS SPECIAL COUNSEL.

Another Reform Measure Before the Legislature Against Levying Campaign Contributions on State Employees—Assembly Debates on National Guard Grant.

ALBANY, March 12.—As the result of the exposure showing the members of the Legislature are enjoying considerable graft by representing the State as special counsel, Assemblyman J. A. Foley has introduced a bill amending the Penal Code by making it a misdemeanor for any member of the Legislature directly or indirectly to receive any compensation, allowance or fees for any services rendered or expense incurred as attorney or counsel for any department, bureau, commissioner or officer of the State.

Members of the Legislature have drawn as much as \$5,000 a year for such "services." There is a Federal law prohibiting members of Congress from doing legal business with any Governmental department.

An echo of the celebrated case against Fiscal Supervisor Harry H. Bender, when he held up all of his office force for campaign contributions, is shown in a bill introduced to-day by Senator Tully at the request of the State Civil Service Commission. It provides that no officer, agent, clerk or employee shall accept or receive, or be in any manner directly or indirectly concerned in accepting or receiving, either as principal or agent, or use means to transmit to any individual, corporation or committee, any political assessment, subscription or contribution to a campaign fund from any officer, agent, clerk or employee of any State department or any of the civil divisions of the State.

This affects Bender more than any other man. When he was on trial before the Civil Service Commission he tried to evade responsibility for having levied campaign assessments against his office force by placing the responsibility upon his private secretary.

The bill further provides that every officer employed in the classified civil service of the State, or any subdivisions, at the time of receiving his first payment of salary in December of each year, sign a statement setting forth the amount of any contribution made by him in the preceding year for any political purpose, directly or indirectly, including dues to political clubs or to promote legislation or influence official action. Violations are made misdemeanors.

Another bill introduced by Senator Tully compels local civil service commissions to retain a registered list of laborers, vacancies in the labor class to be filled from the list.

Assemblyman Winwright's bill providing for an investigation of the National Guard by a committee composed of three Senators, three Assemblymen and three of the common people, Mr. Winwright says, is being put on the order of business in the Assembly for final passage.

It was brought up on the order of second reading to-day, but after a short debate was postponed to to-morrow.

Assemblyman Merritt, however, wanted to know just what position they were to take. He said that the bill was a disgraceful piece of legislation.

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## LEGAL ADVICE VERY CHEAP.

Lewis Is Charged With Swindling Many People on East Side.

Joseph Lewis of 312 East Seventy-eighth street was locked up in the East Sixty-seventh street police station last night charged with swindling many people of the East Sixties out of \$2 each. Some days ago Capt. Shire learned that a man was going about the upper East Side selling for \$2 a paper which purported to give the holder the right to legal advice on all questions for one year. Detective services when needed were thrown in, according to the certificate, which was made out in the name of the "Lawyers Protective and Detective Association of New York." The association, it was stated in the paper, had "suits 705 and 707" at 114 Nassau street. Capt. Shire's men could find no trace of the "association" at 114 Nassau street, but they found plenty of people about the precinct who had given \$2 for the bit of paper. Lewis said one of the papers to John Knick of 138 Avenue A early last evening, but Knick followed him up after Lewis had left and followed him to a flat at Seventy-second street and Avenue A and told a policeman. Lewis was nabbed when he came out and there was a rough and tumble fight before he consented to go to the station. Lewis is not known to the police and they say that his game is at least a new variety if not an entirely novel bait for suckers.

**SHOOTS FATHER; KILLS HIMSELF**

Young Man Would Have Shot His Mother Too Had She Been at Home.

PROVIDENCE, March 12.—Irving T. Peckham, 32 years old, a wealthy horseman of age, fired two shots into his father's head this afternoon, remarking: "If mother were home I would shoot her too."

Peckham then went to his room on the second floor and standing before a mirror placed the revolver in his mouth and fired. He died instantly.

The father, Samuel Peckham, 58 years of age, is the Rhode Island hotel with a chance of recovery. Mrs. Peckham, mother of the suicide, was downtown shopping and collapsed when she got her first news of the tragedy from a newspaper bulletin board.

Peckham senior is a retired mill superintendent and son were closely associated for several years as superintendent and assistant superintendent of the Colchist yarn mills of the Glenbrook Worsted Company at Woonsocket. Several months ago the mill closed and within a few weeks it was sold. Although not in financial straits young Peckham brooded over his enforced idleness, and his act to-day is believed to be due to insanity. Peckham was fond of horses and always owned one or more fast ones. He was a prominent figure on the speedway and at the matinee races at Narragansett Park.

**FIGHT ON 'PASTEURIZED MILK'**

Commissioner Darlington Attacks the Reece Bill Before Assembly Committee.

ALBANY, March 12.—Assemblyman Reece's bill compelling New York city to establish plants for the pasteurization of milk was attacked this afternoon before the Assembly City Committee by Health Commissioner Darlington and Dr. C. D. Morris, an expert on milk.

Assemblyman Reece defended his bill and said that the majority of deaths of infants in New York city was traceable directly to the impure milk that was sold. He said the city was offering no relief and he thought the authorities were copycat legislation to save the lives of infants.

He spoke of the decrease which had been shown in the death rate in hospitals in which pasteurized milk was given to patients.

Dr. Darlington said that while he knew there was some bad milk sold in New York he thought the authorities were copycat legislation to save the lives of infants.

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## TIFFANY &amp; CO.

Safe Deposit

Tiffany & Co. direct attention to their steel vaults and storage department for the safe-keeping of securities, jewelry, laces, family silverware and heirlooms

Silverware, bronzes and fancy goods intended for this department will be sent for and packed by experienced men